

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

JOSE APOLONIO GARCIA-NIETO
a/k/a Jose Apolonio Nieto

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CASE NO. 4:08cr221
(Judge Schell)

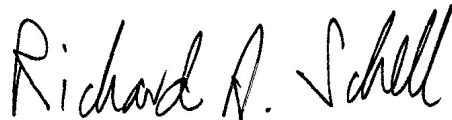
ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING DEFENDANT GUILTY ON COUNT ONE OF THE INDICTMENT

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Count One of the Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Count One of the Indictment in the above-numbered cause.

SIGNED this the 26th day of January, 2009.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE